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PCT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re United States Patent Application of:**

**Applicant: BRAUN, et al.**

**Application No.: 10/502,442**

**Date Filed: 22 July 2004**

**Title: DIAGNOSTIC CONJUGATE  
FOR INTRACELLULAR  
IMAGING AND FOR  
DIFFERENTIATING  
BETWEEN TUMOR AND  
NON-TUMOR CELLS**

**Docket No.: 4121-171**

**Examiner: Not Assigned**

**Art Unit: Unknown**

**Conf. No.: Unknown**

**Customer No.:**

**23488**

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I hereby certify that I am mailing the attached documents to the Commissioner for Patents on the date specified, in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, and First Class Mailed under the provisions of 37 CFR 1.8.

*Candace White*

Candace White

September 29, 2004

Date of Mailing

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Commissioner for Patents  
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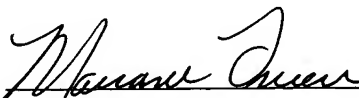
Sir:

Pursuant to 37 C.F.R. §1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. One copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

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Respectfully submitted,



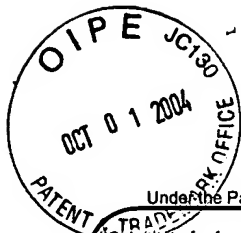
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**Complete if Known**

Application Number 10/502,442

Filing Date 22 July 2004

First Named Inventor BRAUN, et al.

Art Unit Unassigned

Examiner Name Unassigned

Sheet

2

of

2

Attorney Docket Number 4121-171

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	AB	BERGER, ET AL., "Recent advances in imaging endogenous or transferred gene expression utilizing radionuclide ...", Breast Cancer Research, 2001, Vol 3, pp. 28-35	
	AC	HECKL, ET AL., "CNN-Gd3+ Enables Cell Nucleus Molecular Imaging of Prostate Cancer Cells: The Last 600 nm", Cancer Research, 2002, Vol. 2, pp. 7018-7024	
	AD	R.B. MERRIFIELD, "The Synthesis of a Tetrapeptide", Journal of American Chemical Society, 1963, Vol 85, pp. 2149-2154	
	AE	CARPINO, ET AL., "The 9-Fluorenylmethoxycarbonyl Amino-Protecting Group", Journal of Organic Chemistry, 1972, Vol 37, pp. 3404-3409	
	AF	SLAMON, ET AL., "Use of Chemotherapy Plus a Monoclonal Antibody Against Her2 for Metastatic Breast...", The New England Journal of Medicine, 2001, Vol 344, pp. 783-788	
	AG	POOGA, ET AL., "Cell Penetration by Transportan", The FASEB Journal, 1998, Vol 12, pp. 67-77	
	AH	DEROSS, ET AL., "Trojan peptides: the penetratin system for intracellular delivery", Trends in Cell Biology, 1998, Vol 8, pp. 84-87	

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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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